## IN THE UNITED STATES DISTRICT COURT FOR THE WESTERN DISTRICT OF NORTH CAROLINA CHARLOTTE DIVISION DOCKET NO: 3:05CR227

UNITED STATES OF AMERICA,	)
Plaintiff	)
VS.	)
	) <u>ORDER</u>
AVERY SHANDEL JAMES,	)
Defendant.	)
	)
	)

THIS MATTER IS BEFORE THE COURT on Avery Shandel James' "Motion to Serve Subpoenas at Government Expense" (Document No. 27) filed November 10, 2005. After careful review of the motion, the undersigned finds that the witnesses listed below are essential to an adequate defense and that the defendant is indigent and unable to pay the costs for the issuance of these subpoenas.

## IT IS THEREFORE ORDERED,

- That the "Motion to Serve Subpoenas at Government Expense" (Document No.
   is GRANTED;
- 2. That the attached Subpoenas be issued by the Clerk to Mr. Claude McRae, 3601 Beaux Street, Charlotte, North Carolina 28208 and Ms. Tarsha Davis, 3601 Beaux Street, Charlotte, North Carolina 28208;
- 3. That the United States Marshal serve the aforesaid Subpoenas and that the costs incurred by the service of process and the witness fees be borne by the Government.

The Clerk is directed to certify copies of this Order to defense counsel, the United States Attorney and the United States Marshal.

## Signed: November 15, 2005

David C. Keesler
United States Magistrate Judge